

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference K 64 394/8	FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/EP2005/001646	International filing date (day/month/year) 17.02.2005	Priority date (day/month/year) 20.02.2004	
International Patent Classification (IPC) or national classification and IPC INV. A47F3/04			
Applicant LINDE KÄLTETECHNIK GMBH & CO. KG ET AL.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> <i>sent to the applicant and to the International Bureau</i> a total of 2 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> <i>(sent to the International Bureau only)</i> a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 20.12.2005		Date of completion of this report 07.06.2006	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized officer Kus, S Telephone No. +31 70 340-4154 	

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2005/001646

Box No. I Basis of the report

1. With regard to the **language**, this report is based on
- ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-5 as originally filed

Claims, Numbers

1-7 filed with the demand

Drawings, Sheets

1/1 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	1-7
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1.0. Reference is made to the following document:

D5: JP 2000 018804 A

2.0. The document D5 (see fig. 1,2,4,5,6) is regarded as being the closest prior art to the subject-matter of claim 1, and shows (the references in parentheses applying to this document):

a refrigerated cabinet (1) comprising a rolling night blind or blinds (2) and at least one goods compartment opening adapted to be closed by means of the rolling night blind or blinds (2), said refrigerated cabinet (1) being e.g. a refrigerated chest, a freezer chest, a refrigerated shelf cabinet or a freezer shelf cabinet, in which the rolling night blind or blinds (2) are held in the rolled-up state in the inoperative position thereof (cf. claim 1).

2.1. The subject-matter of claim 1 differs from this known refrigerated cabinet in that the support of the rolling night blind or of at least one of the rolling night blinds comprises at least one loose bearing such that the rolling night blind or at least one of the rolling night blinds can be supported so as to be slidable along the longitudinal axis of its blind carrier shaft.

2.2. The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as how to avoid forming of the gap between to adjacent night blinds.

2.3. The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

The feature of loose bearing allowing the night blind to slide along the longitudinal axis of its

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carrier shaft proposed in claim 1 is neither disclosed nor rendered obvious by either one of the available prior art documents and therefore the present application is considered as involving an inventive step (Article 33(3) PCT).

3.0. Claims 2-7 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.



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Amended Claims

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1. A refrigerated cabinet comprising a rolling night blind or blinds and at least one goods compartment opening adapted to be closed by means of the rolling night blind or blinds, said refrigerated cabinet being e.g. a refrigerated chest, a freezer chest, a refrigerated shelf cabinet or a freezer shelf cabinet, in which the rolling night blind or blinds are held in the rolled-up state in the inoperative position thereof,

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characterized in that the support of the rolling night blind or of at least one of the rolling night blinds (1, 1') comprises at least one loose bearing (5) such that the rolling night blind or at least one of the rolling night blinds (1, 1') can be supported so as to be slidable along the longitudinal axis of its blind carrier shaft (4).

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2. A refrigerated cabinet according to claim 1, comprising two or more rolling night blinds (1, 1'), characterized in that the rolling night blinds (1, 1'), at least at the adjoining side portions thereof, have means for connecting the night blinds (1, 1').

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3. A refrigerated cabinet according to claim 2, characterized in that the means for connecting the rolling night blinds (1, 1') are in the form of adhesive tape, hook-and-loop-type closure, zip fastener etc.

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4. A refrigerated cabinet according to any of the preceding claims 1 to 3, characterized in that the or at least one of the rolling night blinds (1, 1') has holes and/or is perforated.

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2/2

5. A refrigerated cabinet according to claim 4,
characterized in that the or at least one of the rolling night blinds (1, 1') is
perforated in different manner across the area thereof.
- 5 6. A refrigerated cabinet according to claim 4,
characterized in that the or at least one of the rolling night blinds (1, 1') is
formed with holes and/or perforations in the upper portion thereof only.
- 10 7. A refrigerated cabinet according to any of the preceding claims 4 to 6,
characterized in that the holes are formed by perforating the night covering
(1, 1') and/or by the material chosen for the night covering (1, 1').

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AMENDED SHEET

20-12-2005